

JOURNAL OF THE SENATE

FIRST REGULAR SESSION

FIRST EXTRA SESSION

FIFTH DAY—TUESDAY, SEPTEMBER 13, 2005

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wisdom consists in doing the next thing you have to do, doing it with your whole heart and finding delight in doing it.”

Almighty God, as we race through the day may we put our whole selves into what must be done next so that it doesn’t need to be redone. May we always embrace every task with maximum efficiency knowing then we have not wasted our time or energy but have given our best effort, doing it as unto You. And may we always find joy in whatever occupies our lives for thus You created us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Friday, September 9, 2005 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Alter	Barnitz	Bray	Callahan
Cauthorn	Champion	Clemens	Coleman
Crowell	Days	Dolan	Dougherty
Engler	Gibbons	Graham	Green

Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Vogel	Wheeler	Wilson—32

Absent—Senators—None

Absent with leave—Senator Bartle—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nodler offered Senate Resolution No. 49, regarding the 414th Military Police Company, Joplin, which was adopted.

Senator Vogel offered Senate Resolution No. 50, regarding Thomas J. Hutchinson, Jefferson City, which was adopted.

Senator Vogel offered Senate Resolution No. 51, regarding Kelly Woods, California, which was adopted.

Senator Vogel offered Senate Resolution No. 52, regarding John Dahlsen, Byron Bay, Australia, which was adopted.

Senator Vogel offered Senate Resolution No. 53, regarding Glenda Jourdon, Jefferson City, which was adopted.

Senator Vogel offered Senate Resolution No.

54, regarding Don T. Stevenson, Willis, Texas, which was adopted.

Senator Vogel offered Senate Resolution No. 55, regarding Virginia A. Folkestad, Castle Rock, Colorado, which was adopted.

Senator Vogel offered Senate Resolution No. 56, regarding Pat Warner, La Habra Heights, California, which was adopted.

Senator Vogel offered Senate Resolution No. 57, regarding Rachel Wilson, Flagstaff, Arizona, which was adopted.

Senator Vogel offered Senate Resolution No. 58, regarding Thomas Cobian, Kansas City, which was adopted.

Senator Vogel offered Senate Resolution No. 59, regarding Patrick Hunt, Saint Louis, which was adopted.

Senator Vogel offered Senate Resolution No. 60, regarding Michael McGillis, Royal Oak, Michigan, which was adopted.

Senator Vogel offered Senate Resolution No. 61, regarding Patrick Marold, Denver, Colorado, which was adopted.

Senator Vogel offered Senate Resolution No. 62, regarding T.J. Wheeler, which was adopted.

Senator Vogel offered Senate Resolution No. 63, regarding Van McElwee, Saint Louis, which was adopted.

Senator Vogel offered Senate Resolution No. 64, regarding Wiktor Szostalo, Saint Louis, which was adopted.

Senator Vogel offered Senate Resolution No. 65, regarding Eric Troolin, Columbia, which was adopted.

Senator Vogel offered Senate Resolution No. 66, regarding Bob McGhee, Versailles, which was adopted.

Senator Vogel offered Senate Resolution No. 67, regarding Matthew Zupnick, which was adopted.

Senator Vogel offered Senate Resolution No. 68, regarding David Dee, which was adopted.

Senator Vogel offered Senate Resolution No. 69, regarding Blue 88, which was adopted.

Senator Klindt offered Senate Resolution No. 70, regarding Jeremy D. Schuler, Trenton, which was adopted.

Senator Coleman offered Senate Resolution No. 71, regarding the death of Minnette V. McMillan Houser, which was adopted.

Senator Ridgeway offered Senate Resolution No. 72, regarding Taylor Steven Hunt, Liberty, which was adopted.

Senator Wilson offered Senate Resolution No. 73, regarding Taylor Robert Mallon, Kansas City, which was adopted.

Senator Wilson offered Senate Resolution No. 74, regarding Jerron Eugene Forte', Kansas City, which was adopted.

Senator Wilson offered Senate Resolution No. 75, regarding David Michael McCalman, III, Kansas City, which was adopted.

Senator Wilson offered Senate Resolution No. 76, regarding the death of James W. Wheat, Kansas City, which was adopted.

On behalf of Senator Bartle, Senator Shields offered Senate Resolution No. 77, regarding Dr. and Mrs. Mark A. Mozer, Blue Springs, which was adopted.

On behalf of Senator Bartle, Senator Shields offered Senate Resolution No. 78, regarding Dr. Wayne Giles, Lee's Summit, which was adopted.

On behalf of Senator Bartle, Senator Shields offered Senate Resolution No. 79, regarding Charles William "Chuck" Bernhard, Lee's Summit, which was adopted.

Senator Wheeler offered Senate Resolution No. 80, regarding Donna Ross Slaughter, Leawood, Kansas, which was adopted.

Senator Wheeler offered Senate Resolution No. 81, regarding Anthony Mendolia, Kansas City, which was adopted.

Senator Cauthorn offered Senate Resolution No. 82, regarding Lyndsey Williams, which was adopted.

Senator Purgason offered Senate Resolution No. 83, regarding Darwin Mike Edwards, which was adopted.

Senator Engler offered Senate Resolution No. 84, regarding the Flat River Church of Christ, Park Hills, which was adopted.

Senator Kennedy offered Senate Resolution No. 85, regarding Jack Goldman, St. Louis, which was adopted.

Senator Ridgeway offered Senate Resolution No. 86, regarding John Robert Mohr, Liberty, which was adopted.

Senator Ridgeway offered Senate Resolution No. 87, regarding Joe Whittenberg, Liberty, which was adopted.

Senator Stouffer offered Senate Resolution No. 88, regarding the Excelsior Springs Job Corps Center, Excelsior Springs, which was adopted.

Senator Stouffer offered Senate Resolution No. 89, regarding the One Hundredth Birthday of Anna Lee Woodward, Carrollton, which was adopted.

Senator Stouffer offered Senate Resolution No. 90, regarding the birth of Madison Lynn Potter, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 91, regarding the birth of Sophia Marie Ker, Lee's Summit, which was adopted.

Senator Stouffer offered Senate Resolution No. 92, regarding the birth of Mason Wyatt Mansell, Napoleon, which was adopted.

Senator Stouffer offered Senate Resolution No. 93, regarding the birth of Lily Katelynn Rowe, Moberly, which was adopted.

Senator Stouffer offered Senate Resolution No. 94, regarding the birth of Owen Luke Sweeney, Carrollton, which was adopted.

Senator Stouffer offered Senate Resolution No. 95, regarding the birth of Layne Justine Sanders, Fayette, which was adopted.

Senator Stouffer offered Senate Resolution No. 96, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Donald Manning, Corder, which was adopted.

Senator Stouffer offered Senate Resolution No. 97, regarding the Twenty-fifth Wedding Anniversary of Mr. and Mrs. Roger Bocke, New Cambria, which was adopted.

Senator Stouffer offered Senate Resolution No. 98, regarding the birth of Carson Michael Reed, Atlanta, which was adopted.

Senator Stouffer offered Senate Resolution No. 99, regarding the birth of Kennedy Brett Griffy, Boonville, which was adopted.

Senator Stouffer offered Senate Resolution No. 100, regarding the birth of Carly Rose Fahrmeier, Hartville, Ohio, which was adopted.

Senator Dougherty offered Senate Resolution No. 101, regarding Patricia Jean Henderson, St. Louis, which was adopted.

Senator Wilson offered Senate Resolution No. 102, regarding Anthony Ramos, which was adopted.

Senator Wilson offered Senate Resolution No. 103, regarding the Reverend Leonard P. Butler, Jr., which was adopted.

Senator Wilson offered Senate Resolution No. 104, regarding Neal D. Colby, Jr., MSW, ACSW, Kansas City, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2**, entitled:

An Act to repeal section 210.117 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for house committee substitute no. 2 for house bill no. 568 and approved by the governor on June 24, 2005, and section 210.117 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate committee substitute no. 2 for senate bill no. 155 and approved by the governor on July 14, 2005, and section 210.117 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344 and approved by the governor on July 13, 2005, and section 211.038 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for house committee substitute no. 2 for house bill no. 568 and approved by the governor on June 24, 2005, merged with section 211.038 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate committee substitute no. 2 for senate bill no. 155 and approved by the governor on July 14, 2005, merged with section 211.038 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344 and approved by the governor on July 13, 2005, and section 211.181 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344 and approved by the governor on July 13, 2005, and section 311.310 as enacted by the first regular session of the ninety-third general assembly in senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 972 and approved by the governor on July 13, 2005, merged with section 311.310 as enacted

by the first regular session of the ninety-third general assembly in house committee substitute for senate substitute for senate committee substitute for senate bills nos. 37, 322, 78, 351 & 424 and approved by the governor on July 13, 2005, and section 311.310 as enacted by the first regular session of the ninety-third general assembly in house committee substitute for senate substitute for senate bill no. 402 and approved by the governor on July 13, 2005, and section 565.024 as enacted by the first regular session of the ninety-third general assembly in senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 972 and approved by the governor on July 13, 2005, merged with section 565.024 as enacted by the first regular session of the ninety-third general assembly in house committee substitute for senate substitute for senate committee substitute for senate bills nos. 37, 322, 78, 351 & 424 and approved by the governor on July 13, 2005, and section 568.050 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 353 and approved by the governor on July 13, 2005, and section 568.050 as enacted by the first regular session of the ninety-third general assembly in senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 972 and approved by the governor on July 13, 2005, merged with section 568.050 as enacted by the first regular session of the ninety-third general assembly in house committee substitute for senate substitute for senate committee substitute for senate bills nos. 37, 322, 78, 351 & 424 and approved by the governor on July 13, 2005, and section 577.023 as enacted by the first regular session of the ninety-third general assembly in senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 972 and approved by the governor on July 13, 2005, merged with section 577.023 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for

senate committee substitute for house committee substitute for house bill no. 353 and approved by the governor on July 13, 2005, and section 577.023 as enacted by the first regular session of the ninety-third general assembly in house committee substitute for senate substitute for senate committee substitute for senate bills nos. 37, 322, 78, 351 & 424 and approved by the governor on July 13, 2005, merged with section 577.023 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 353 and approved by the governor on July 13, 2005, and section 577.625 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 353 and approved by the governor on July 13, 2005, and section 577.628 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 353 and approved by the governor on July 13, 2005, and to enact in lieu

thereof seven new sections relating to crime, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 3**, entitled:

An Act to repeal section 1 as enacted by the first regular session of the ninety-third general assembly in conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344 and approved by the governor on July 13, 2005, and to enact in lieu thereof one new section relating to the posting of certain information on the Internet, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Shields, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY—WEDNESDAY, SEPTEMBER 14, 2005

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 2

HCS for HB 3